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7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) Case No. 2:24-CR-41-DAD-1  
11 )  
Plaintiff, ) **STIPULATION AND ORDER TO CONTINUE**  
12 ) **STATUS CONFERENCE AND EXCLUDE TIME**  
vs. )  
13 )  
CEDAR SKY MONTGOMERY, ) Date: February 10, 2025  
14 ) Time: 9:30 A.M.  
Defendant. ) Judge: Hon. Dale A. Drozd  
15 )  
\_\_\_\_\_ )

16 IT IS HEREBY STIPULATED and agreed by and between Acting United States Attorney  
17 Michele Beckwith, through Assistant United States Attorneys Christina McCall and Adrian  
18 Kinsella, counsel for Plaintiff; and Federal Defender Heather Williams, through Assistant Federal  
19 Defender Christina Sinha, counsel for Mr. Montgomery, that the “Further Status Conference or  
20 Change of Plea or Trial Setting” hearing, currently set for February 10, 2025, may be continued to  
21 March 10, 2025, with time between the dates excluded, as detailed below. The parties specifically  
22 stipulate as follows:

- 23 1. The indictment in this case issued on February 29, 2024. Dkt. 07.  
24 2. On July 30, 2024, the defense declared a doubt regarding Mr. Montgomery’s  
25 competency. Dkt. 19. Following briefing, an evaluation by the Bureau of Prisons,  
26 and a subsequent hearing, the Court ultimately determined Mr. Montgomery was  
27 competent to stand trial on November 19, 2024. Dkt. 20-41. At the November 19,  
28

2024 hearing, at the request of the defense and without government objection, the Court set the matter for a Further Status Conference / Possible Change of Plea / Possible Trial Setting, to occur on February 10, 2025. Dkt. 41.

3. Defense counsel represents that she requires additional time to research potential resolutions; conduct legal research for trial; investigate the case; and otherwise prepare for trial. She believes that failure to grant the requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

4. The government does not object to the continuance.

5. Therefore, the parties stipulate that the ends of justice served by granting the continuance outweighs the best interest of the public and Mr. Montgomery in a speedy trial, and respectfully request the Court so to find.

6. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (the Speedy Trial Act), the parties request that the time period between February 10, 2025 and March 10, 2025 (inclusive) be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance granted by the Court at the defense's request, based on a finding that the ends of justice served by granting the continuance outweighs the best interest of the public and Mr. Montgomery in a speedy trial.

The parties therefore respectfully request this Court to adopt the parties' stipulation as its Order.

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Respectfully submitted,

HEATHER E. WILLIAMS  
Federal Defender

Date: February 4, 2025

/s/ Christina Sinha  
CHRISTINA SINHA  
Assistant Federal Defender  
Attorneys for Defendant  
CEDAR SKY MONTGOMERY

Date: February 4, 2025

MICHELE BECKWITH  
Acting United States Attorney

/s/ Christina McCall  
CHRISTINA MCCALL  
ADRIAN KINSELLA  
Assistant United States Attorneys  
Attorneys for Plaintiff

**ORDER**

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The status conference currently set for February 10, 2025, is continued to March 10, 2025, at 9:30 a.m. and time is excluded between February 10, 2025 and March 10, 2025 (inclusive) pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4).

IT IS SO ORDERED.

Dated: February 4, 2025

Dale A. Drozd  
DALE A. DROZD  
UNITED STATES DISTRICT JUDGE